

THIRD DAY

(Tuesday, November 19, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Martin Rogers

A quorum was announced present.

Rev. W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Martin was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Rogers was granted leave of absence for today on account of important business on motion of Senator Owen.

Reports of Standing Committee

Senator Lane submitted the following reports:

Austin, Texas,
November 19, 1957.

Hon. Ben Ramsey, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 2, have had the same under consideration, and we are instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
November 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 1, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. S. B. No. 1 was read first time.

Senate Bills 3 and 5 Referred

The following bills introduced and read first time on yesterday were referred to the committees indicated:

S. B. No. 3, To the Committee on Counties, Cities and Towns.

S. B. No. 5, To the Committee on State Affairs.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the committees indicated:

By Senator Herring:

S. B. No. 6, A bill to be entitled "An Act to authorize Wilbarger Creek Water Control and Improvement District No. 1 of Bastrop and Travis Counties to levy and collect a maintenance tax and providing an election as a condition precedent to the right to levy and collect such tax and limiting the use of such taxes; providing additional purposes for which proceeds from bonds may be spent; validating all acts and proceedings of the officials of the District; providing that the Act shall have priority of application; providing a severance clause and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Herring:

S. B. No. 7, A bill to be entitled "An Act to authorize Brushy Creek Water Control and Improvement District No. 1 of Williamson and Milam Counties to levy and collect a maintenance tax and providing for an election as a condition precedent to the

right to levy and collect such tax and limiting the use of such taxes; providing engineer's report need not be filed before calling exclusion hearing or bond election and providing the time and method of approval by the State Board of Water Engineers of the project, works and improvements and bonds, and plans and specifications of which are prepared or to be prepared by the Soil Conservation Service, United States Department of Agriculture; providing additional purposes for which proceeds from bonds may be spent; validating the exclusion hearing, the bond election held within the District and all acts and proceedings of officials of the District and providing that when said bonds have been issued and delivered to the purchaser or purchasers thereof same shall be incontestable; providing that validation provisions shall not validate matters which would otherwise be validated if involved in litigation on effective date of Act and if the ultimate decision of the Court is against the validity thereof; providing that this Act shall have priority of application; providing a severance clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Herring:

S. B. No. 8, A bill to be entitled "An Act to authorize San Gabriel River Water Control and Improvement District No. 1 of Williamson, Burnet and Milam Counties to levy and collect a maintenance tax and providing for an election as a condition precedent to the right to levy and collect such tax and limiting the use of such taxes; providing engineer's report need not be filed before calling exclusion hearing or bond election and providing the time and method of approval by the State Board of Water Engineers of the project, works and improvements and bonds, the plans and specifications of which are prepared or to be prepared by the Soil Conservation Service, United States Department of Agriculture; providing additional purposes for which proceeds from bonds may be spent; validating organization, confirmation election and all acts and proceedings of officials of the district; providing that validation provisions shall not validate matters which would otherwise be validated if involved in litigation on effective date

of act and if the ultimate decision of the court is against the validity thereof; providing that this act shall have priority of application; providing a severance clause, and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Fly:

S. B. No. 9, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution to be known as "North Live Oak Conservation and Reclamation District"; enacting other provisions relating to the subject; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Fly:

S. B. No. 10, A bill to be entitled "An Act canceling and removing any restriction on use and relinquishing any future right of reversion which the State of Texas may hold on certain property heretofore granted and patented to the City of Austin, and conveying to the Austin Independent School District all right, title and interest of the State in and to such property, such cancellation, relinquishment and conveyance to be subject to a stated condition; and declaring an emergency."

To the Committee on State Affairs.

Senator Lock submitted for Senator Martin:

S. B. No. 11, A bill to be entitled "An Act ratifying, confirming, approving and validating certain proceedings and actions had by the governing body of certain Water Control and Improvement District or Districts and the organization of said District or Districts and all proceedings relating thereto; providing a non-litigation clause and providing the Act will not apply to certain District or Districts; providing a saving clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Phillips:

S. B. No. 12, A bill to be entitled "An Act relating to the appointment qualification, duties and compensation of Official Shorthand Reporters of the Tenth, Fifty-Sixth and One

Hundred Twenty-Second Judicial Districts of Texas; amending Acts of the 55th Legislature, Regular Session, 1957, Chapter 350; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Lane:

S. B. No. 13, A bill to be entitled "An Act making it unlawful for any person to make use of a dog or dogs in the hunting, pursuing, or taking of any deer in the South and West portion of Shelby County Texas, at any time; providing penalties for violation of this Act; and declaring an emergency."

To the Committee on Game and Fish.

House Bill on First Reading

The following bill received from the House was read first time and referred to the Committee indicated:

H. B. No. 4, To the Committee on Game and Fish.

Report of Standing Committee

Senator Owen submitted the following report:

Austin, Texas,
November 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 3, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senate Bill 3 Ordered Not Printed

On motion of Senator Parkhouse and by unanimous consent S. B. No. 3 was ordered not printed.

Senate Concurrent Resolution 2

Senator Hazlewood offered the following resolution:

S. C. R. No. 2, Requesting approval by federal officials of a crude oil pipeline from Texas to the West Coast.

Whereas, The State of Texas now has an unused crude oil production capacity in excess of one million barrels per day; and

Whereas, The Presidential Cabinet Committee study of limitation of imports of foreign crude oil has determined that California has a present shortage of domestic crude oil in excess of 275 thousand barrels per day; and

Whereas, The Cabinet Committee recommended that the voluntary imports program exempt the West Coast so that imports of foreign crude oil could supply the California shortage; and

Whereas, A pipeline from Texas to the West Coast or from Louisiana through Texas to the West Coast has been suggested and a request is now pending before the Office of Defense Mobilization seeking federal approval for such a pipeline; and

Whereas, Such a pipeline would link an area of domestic surplus in the United States with an area of domestic shortage; and

Whereas, Texas' crude oil production is currently restricted to 12 producing days per month, the lowest in this state's history, as a result of excessive foreign imports, and such reduced allowable is restricting exploration and development needed to supply future peacetime and emergency needs of this nation; and

Whereas, Experiences in World War II, the Korean conflict and the Suez crisis have conclusively established that tanker transportation of either domestic or foreign crude to the West Coast cannot be relied upon because of the submarine menace; and

Whereas, the West Coast with its concentration of key defense industries and the headquarters of the Pacific fleet must have some assurance of a constant supply of petroleum in time of emergency; and

Whereas, The proposed Texas-West Coast pipeline would constitute an essential addition to this nation's defense requirements as well as materially relieving the present economic stress imposed on the Texas economy; now, therefore, be it

Resolved, By the Senate of the State of Texas, the House of Representatives concurring, that the appropriate federal officials be requested to study the necessity and feasibility of a pipeline from Texas to the West Coast as an aid to this nation's national defense and to improve the economy of the affected states; and be it further

Resolved, That a copy of the fore-

going resolution be transmitted by the Secretary of the Senate to Hon. Dwight D. Eisenhower, President of the United States, Hon. Fred A. Seaton, Secretary of the Interior, the President's Cabinet Fuels Committee, members of the Armed Services Committees of both the House of Representatives and the Senate of the United States Congress, Hon. M. V. Carson, Administrator of the Voluntary Imports Program, and Hon. Gordon Gray, Director of the Office of Defense Mobilization.

The resolution was read.

On motion of Senator Hazlewood and by unanimous consent the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 3

Senator Willis offered the following resolution:

S. C. R. No. 3, Relating to recipients of old age assistance and aid to the needy blind.

Whereas, It is the present rule of the State Department of Public Welfare to not allow any needy aged or needy blind person to participate in the Texas Welfare Program if such person possesses in excess of Three Hundred Dollars (\$300.00); and

Whereas, This rule was passed June 16, 1945, when \$300 was worth much more than it is now and would buy twice the amount of food, clothing, and other necessities of life and provided for a decent burial; and

Whereas, Many of our needy aged and needy blind plan carefully and try to save enough money to give them a decent burial at the time of their death; and

Whereas, \$300 is wholly insufficient to provide for the expenses of last rites of any person in this day and time; now therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That it is the sentiment and desire of the Texas Legislature that the State Department of Public Welfare adopt a rule allowing applicants for and recipients of aid to the needy blind or old age assistance to possess as much as Five Hundred Dollars (\$500.00) in cash moneys, or in bonds, or in other property, at any given time, regardless of the source from which such assets are realized or received, without being subject to de-

nial of assistance grants or applications, if otherwise eligible; and be it further

Resolved, That all resolutions heretofore adopted, which are in conflict herewith be, and the same are hereby rescinded; and be it further

Resolved, That a copy of this resolution be sent to each member of the Board of the State Department of Public Welfare and to the Commissioner of Public Welfare of the State of Texas.

The resolution was read.

Senator Willis asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Willis then moved to consider the resolution immediately.

The motion was lost by the following vote:

Yeas—11

Aikin	Phillips
Bracewell	Roberts
Fuller	Secrest
Hardeman	Weinert
Hazlewood	Willis
Herring	

Nays—16

Bradshaw	Moffett
Colson	Moore
Fly	Owen
Hudson	Parkhouse
Kazen	Ratliff
Krueger	Reagan
Lane	Smith
Lock	Wood

Present—Not Voting

Gonzalez

Absent

Ashley

Absent—Excused

Martin

Rogers

The resolution was then referred to the Committee on State Affairs.

Senate Resolution 13

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate M. C. Elliott of New Gulf, Texas; and

Whereas, We desire to welcome this

distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and be extended the privilege of the floor for the day.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented Mr. Elliott to the Members of the Senate.

Senate Resolution 14

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Special Education Class of Stephen F. Austin High School in Austin, Texas, accompanied by their teacher, Mr. S. E. Fudell; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to this class in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and the teacher to the Members of the Senate.

Senate Bill 3 on Second Reading

On motion of Senator Parkhouse and by unanimous consent, the regular order of business and Senate Rule 32 were suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 3, A bill to be entitled "An Act constituting a local law for the further maintenance of public highways, by authorizing the Commissioners' Court of Dallas County to expend proceeds of bonds heretofore and hereafter voted by Road District No. 1 of Dallas County for the purpose of providing for drainage of

state highway rights-of-way and adjacent lands where such drainage is made necessary by the construction, widening or improvement of such highways; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 3 on Third Reading

Senator Parkhouse moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 3 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman	Owen
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Absent—Excused

Martin	Rogers
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman Owen

Absent—Excused

Martin Rogers

Report of Standing Committee

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
November 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 9, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senate Bill 9 Ordered Not Printed

On motion of Senator Fly and by unanimous consent S. B. No. 9 was ordered not printed.

Senate Bill 9 on Second Reading

Senator Fly moved that Senate Rule 32, the regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 9 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Martin Rogers

The President then laid before the

Senate on its second reading and passage to engrossment the following bill:

S. B. No. 9, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16 of the Constitution to be known as 'North Live Oak Conservation and Reclamation District'; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 9 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 9 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Martin Rogers

Report of Standing Committee

Senator Kazen by unanimous consent submitted the following report:

Austin, Texas,
November 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred S. B. No. 13, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senate Bill 13 Ordered Not Printed

On motion of Senator Lane and by unanimous consent S. B. No. 13 was ordered not printed.

Senate Bill 13 on Second Reading

Senator Lane moved that Senate Rule 32, the regular order of business and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 13 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Martin	Rogers
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The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 13, A bill to be entitled "An Act making it unlawful for any person to make use of a dog or dogs in the hunting, pursuing, or taking of any deer in the South and West portion of Shelby County, Texas, at any time; providing penalties for violation of this Act; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 13 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 13 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—29

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Absent—Excused

Martin	Rogers
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Report of Standing Committee

Senator Owen by unanimous consent submitted the following report:

Austin, Texas,
November 19, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 12, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

OWEN, Chairman.

Senate Bill 12 Ordered Not Printed

On motion of Senator Phillips and by unanimous consent S. B. No. 12 was ordered not printed.

Senate Bill 12 on Second Reading

Senator Phillips moved that Senate Rule 32, the regular order and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 12 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Fuller
Ashley	Gonzalez
Bracewell	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Fly	Hudson

Kazen	Phillips
Krueger	Ratliff
Lane	Reagan
Lock	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood

Nays—1

Roberts

Absent—Excused

Martin Rogers

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 12 A bill to be entitled "An Act relating to the appointment, qualification, duties and compensation of Official Shorthand Reporters of the Tenth, Fifty-Sixth and One Hundred Twenty-Second Judicial Districts of Texas; amending Acts of the 55th Legislature, Regular Session, 1957, Chapter 350; and declaring an emergency.

The bill was read the second time and was passed to engrossment.

Senate Bill 12 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 12 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—27

Aikin	Lock
Ashley	Moffett
Bracewell	Moore
Colson	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Bradshaw Roberts

Absent—Excused

Martin Rogers

Adjournment

On motion of Senator Hardeman the Senate at 11:23 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

FOURTH DAY

(Wednesday, November 20, 1957)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Lock	Wood

Absent—Excused

Hudson

A quorum was announced present.

Rev. W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Hudson was granted leave of absence for today and the remainder of the week on account of important business on motion of Senator Owen.

Senate Resolution 15

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, 100 students of the Civics Class of San Marcos High School, accompanied by their teachers, Thomas Yoakum and Jesse Adams; and

Whereas, These students are on an